

EXHIBIT A

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF OHIO
3 WESTERN DIVISION AT CINCINNATI

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5
6 SUSIE LEAHY, individually and
SUSIE LEAHY as guardian ad litem
7 for REBECCA SUSAN LEAHY, a minor,
HANNAH JOY LEAHY, a minor, and
8 WILLIAM JOHN LEAHY, III, a minor,
9 Plaintiffs,

10 vs.

No:1:10-cv-070-SSB-TSB

11 SIGNATURE ENGINES, INC., O&N
AIRCRAFT MODIFICATIONS, INC.,
12 O&N INC., a corporation; and
DOES 1 through 20, inclusive,

13
Defendants.

14 _____/

15
16 DEPOSITION OF SUSAN LEAHY HERR

17
18 January 19, 2012, at 1:55 P.M.

19
20 Deposition Officer:
21 MARIANNE R. BOYD, CSR NO. 6685

22
23 Taken in the Offices of:
24 PALERMO REPORTING SERVICES
318 McHenry Avenue, Suite B
25 Modesto, California 95354

<p>1 certain whether the jurisdiction is going to permit new 2 marriage testimony. But with that, I'm not going to 3 interrupt your questioning, and saying that I'm reserving 4 my right to do so and to challenge that at time of trial 5 in either jurisdiction. 6 MR. BROCKMAN: Fair enough. 7 MR. YOUNG: Chris Young on behalf of Lone 8 Mountain Aviation, and I understand. Thank you. 9 MR. BROCKMAN: Q. What are your children's names 10 and ages, please? 11 A. Rebecca Leahy. 12 Q. R-E-B-E-C-C-A? 13 A. C-C-A, yes. And she is 14 -- yes, 14. Sorry. 14 Hannah Leahy is 12. William Leahy, III, and he is soon to 15 be nine in a couple of weeks here, and then Zachary yeah, 16 he is nine months. And I also have a stepdaughter who 17 does not live with us anymore. 18 Q. How old is your stepdaughter? 19 A. She is 18. 20 Q. Has she gone off to college? 21 A. She lives with her mother. 22 Q. And that's Mr. Herr's natural daughter? 23 A. Correct. 24 Q. From his first marriage? 25 A. Correct.</p> <p style="text-align: right;">Page 6</p>	<p>1 Q. Which church was it? 2 A. Peninsula Covenant Church in Redwood City. 3 Q. You were both members of that church? 4 A. Correct. 5 Q. Had you known him at all before the group? 6 A. No. 7 Q. And how long -- strike that. 8 Do you remember about when it was that you first 9 met him? 10 A. Probably 1991. 11 Q. And then about four years later you got married, 12 ballpark? 13 A. Yes. 14 Q. Are Mr. Leahy's parents still alive? 15 A. Yes, they are. 16 Q. And are they both in the California area? 17 A. They are in the Bay Area, yes. 18 Q. And what are their names, please? 19 A. Bill, Sr. and Jean. 20 Q. Do you know how old Bill, Sr. is? 21 A. I believe he just turned 81. 22 Q. And how about his mom, Jean? 23 A. His wife? 24 Q. His mom. 25 A. I'm sorry, who are you referring to in the first</p> <p style="text-align: right;">Page 8</p>
<p>1 Q. What is the date of your marriage to Mr. Herr? 2 A. May -- I'm not good at dates. 3 MR. BAILEY: Don't worry, she doesn't write down 4 pause. 5 THE WITNESS: May -- oh, boy. Honestly, it 6 escaped me -- 22nd, '10. 7 MR. BROCKMAN: Q. Was your marriage to Mr. Leahy 8 your first marriage? 9 A. Correct. 10 Q. Was it his first marriage? 11 A. Correct. 12 Q. What was the date of your marriage to Mr. Leahy? 13 A. June 17th, '95. 14 MR. BAILEY: Just so you know, it's like Leahy, 15 L-A, is the pronunciation. 16 MR. BROCKMAN: Fair enough. 17 Q. How did you first meet Mr. Leahy? 18 A. Our church college group. 19 Q. Which college is that? 20 A. Well, it was all the groups that were in college 21 together at the church. That didn't really come out right 22 the first time. 23 Q. It was a church group made up of college 24 students? 25 A. There you go. That's more accurate.</p> <p style="text-align: right;">Page 7</p>	<p>1 question? 2 Q. Bill, Sr.? 3 A. Bill, Sr. is 81. Jean is his wife. 4 Q. I'm sorry. When I said his mom, I meant your 5 late husband's mom. 6 A. I believe she's maybe 79. 7 Q. How about any siblings of his? 8 A. My late husband's siblings, that would be Susan. 9 She is three years older than me, so 43. And Michael is 10 eight years -- seven years younger than me, so 38 -- no. 11 I can't do my math. 32. 12 Q. Any other siblings of your late husband's? 13 A. No. 14 Q. Now, Susan is a pilot? 15 A. Correct. 16 Q. Do you know who she works for? 17 A. Southwest. 18 Q. And how about Michael, is he a pilot? 19 A. No, he is not. 20 Q. Do you know what he does for a living? 21 A. Computer industry software engineer of some kind. 22 Q. Where does Susan live? 23 A. Chicago, Illinois. 24 Q. And Michael? 25 A. San Francisco.</p> <p style="text-align: right;">Page 9</p>

3 (Pages 6 to 9)

1 A. No. The school that they went to at the time of
2 his death was Veritas Christian Academy and that was in
3 San Jose.
4 Q. Did you work there?
5 A. Yes.
6 Q. And for how long did you work there?
7 A. Two years.
8 Q. What was your title and what did you really do no
9 matter what your title was?
10 A. I was business manager, and I pretty much focused
11 on the financial side of the business there.
12 Q. Where did you work before Veritas Christian
13 Academy?
14 A. Nine years prior I quit Oracle Corporation.
15 Q. What did you do there?
16 A. Human resources in their hiring side of things.
17 Q. And was there a particular office location that
18 you reported to?
19 A. The Redwood Shores one.
20 Q. Was that for -- approximately, nine years?
21 A. No. It was -- I worked there before I was
22 married to Bill, I started. So I think I worked there a
23 total of four years, five years, somewhere in there.
24 Q. Did you work anyplace before Oracle?
25 A. Temporary jobs while I was in college.

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1 Q. Where did you go to college?
2 A. I went to Moody Bible Institute, and I graduated
3 from there.
4 Q. What was your degree in?
5 A. International ministries.
6 Q. When did you graduate?
7 A. '95, I think. Finished in '95. I was done in
8 '94.
9 Q. Did you work anyplace between graduation from
10 college and Oracle?
11 A. No. I pretty much took a break. We got married,
12 and then I started up Oracle -- no. I thought I was
13 working at Oracle -- I'm sorry. I think I was working at
14 Oracle when we were married. So my dates are off. I've
15 forgotten.
16 Q. Was your first full-time job after Moody at
17 Oracle?
18 A. Correct.
19 Q. How did you find out about your husband's death?
20 A. My parents-in-law, Bill and Jean. They came to
21 my house.
22 Q. And where were you all living at the time?
23 A. Redwood City.
24 Q. Did you learn how they found out?
25 A. Yes. They found out from Bill's sister, Susan.

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1 And apparently Fred Sorenson who was at the airport at the
2 time who knew Susan because they worked together at
3 Southwest, called Southwest and told them that he had
4 died. And they had sent counselors to Susan's house in
5 Chicago to tell her. And then she called my in-laws who
6 then came over and told me.
7 Q. Were the children at home when your in-laws came
8 over?
9 A. My son was asleep and the girls were next door.
10 Home but not in the building.
11 Q. Did you break the news to the children?
12 A. Yes, I did.
13 Q. Were your in-laws present or did you wait for
14 them to leave?
15 A. No. My in-laws were present when the girls came
16 back. I did not tell my son until the next day.
17 Q. And how did your daughters take it?
18 A. They cried.
19 Q. And did you find this out the day of the accident
20 or was it the next day?
21 A. It was the day of the accident.
22 Q. And your son, how did he take it when you told
23 him?
24 A. I don't think he fully understood. He seemed to
25 walk away. But he was five at the time.

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1 Q. He was the youngest?
2 A. Exactly.
3 Q. Do they still ask about their father?
4 A. Yeah. Yeah.
5 Q. Frequently?
6 A. I think when things come up when there's
7 something that reminds them of daddy, or did I do this
8 with daddy, you know, when they are learning new
9 experiences.
10 Q. For instance, the children are coming down here
11 today so we can meet them. Do they realize why they are
12 coming down?
13 A. Yes.
14 Q. Is that the kind of thing that brings up
15 questions about their late father?
16 A. Yeah. They want to know why and what they're
17 doing. I think only the oldest, Becky, really understands
18 what's going on. The younger two are kind of growing and
19 learning at the same time.
20 Q. I think in some of the interrogatories, which is
21 lawyer mumbo jumbo for written questions, there was some
22 information about some prior settlements that you had with
23 other parties that had been sued as a result of your
24 husband's death.
25 Is that correct, that there were some

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7 (Pages 22 to 25)

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